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The Einstein-Russell Warning to Our Planet Evokes Little Echo in Congress

"We Have to Learn to Think In A New Way"

In the Congress of the United States there was little evidence of any such new way of thinking. On Saturday the warning signed by Einstein before he died had been made public in London by Bertrand Russell. Nine of mankind's greatest minds had warned that war might now mean the total destruction of our species. "We have to learn to think in a new way," was the core of their message. It went almost unnoticed when Congress reopened on Monday.

No Senator seemed to think the Russell-Einstein statement worth reprinting in the Appendix. Neuberger put in an article called "Flying Is Folksy on A Feeder"; Bennett, the full text of an address in Syracuse on subversives by Stanley J. Tracy, chairman, organizing committee, the Foundation for American Research; and Morse reprinted an editorial from the *Louisville Courier-Journal* on "A Bus Strike Tests Free Enterprise." But none of the thirteen Senators who inserted material in the Appendix that day thought of including the warning to mankind. Often the same article or speech is put into the Appendix several times by various members. In this case, a lone Congressman, the Hon. Daniel J. Flood, a Democrat from Wilkes-Barre, Pennsylvania, did include the historic text among other "extraneous remarks." We salute him for it.

Dismissed As "Naive"

Though the meeting at the summit was heatedly discussed on the floor of both Houses, there was only one reference made to the Russell-Einstein statement. This was by Senator Flanders. He thought the scientists were "right in emphasizing the horrors of atomic warfare" but "naive in urging agreements to end atomic warfare." This enlightened Republican from Vermont thinks the bombing of cities "bestial" and proposes that we "unilaterally" renounce it "except in reprisal." But he believes "it may be necessary for us, in order to deal from a position of strength, to retain the power and the right to use tactical bombing" against troop concentrations, communications and supply depots. This is the Eisenhower-Dulles policy of using tactical atomic weapons as one would—so the President termed it—"a pistol."

That atomic weapons may be used with humane precision to kill soldiers but not civilians is the delusion being fostered by our government in the hope of retaining the use of its terrible new military toys. But only one Senator rose to combat it. Mansfield told Flanders he was "flirting with a mirage." Said the Montana Democrat, "Military installations are usually near towns and cities. A weapon large enough to insure the destruction of such a military target will almost inevitably take a toll of non-military areas. To paralyze an enemy it would be necessary to hit the centers of industry, which are heavily populated. . . . We can expect retaliation. . . . The enemy may not have perfected a tactical atomic or hydrogen weapon, so they will drop several large ones. The next step would be a thermonuclear holocaust. . . ."

The New Horror Coming

Little attention was paid by the press to this exchange, though in the course of it Senator Mansfield made an observation on which all friends of peace should focus attention. There was a time when a ban on further atomic tests would have prevented the development of the H-bomb. The next horror will be the intercontinental ballistic missile; in five years or so, at the present rate, both sides will have it, and neither will be able to sleep at nights. If IBM's are perfected the mutual suspicion and internal fears will create a hell of anxiety on earth. Radar and fighter planes will be no protection. Senator Mansfield points out that an international agreement to bar further nuclear tests might prevent the development of the IBM, since these would carry nuclear warheads. "The scientists could not be sure that the missile would perform as calculated" without an actual test. Mutual agreement might yet save the human Frankenstein from this last and most terrifying of its monsters.

But except for these small inadequate voices there was no echo in the Congress of the United States to the deep bells set tolling over the planet by Russell and Einstein. Were the earth suddenly menaced from without by another invading species, Russians and Americans would close ranks with the rest of mankind. But the common danger which arises from common hatred and the common possession of weapons too deadly to be used is too familiar for man's feeble imagination. In the House, McCormack spewed hate of co-existence, Dodd of Connecticut was applauded for talking in terms which would make war inevitable. In the Senate, the mainsprings of action were in the desire of both the Republican and Democratic majorities not to be outmaneuvered on the satellite issue by the McCarthy extremists in the play for the Polish and other East European voting blocs.

As the summit meeting opens, one can only hope that East and West—already frozen into irreconcilable positions on the German question—will lift their eyes from stale and obsolete quarrels to the full immensity of the new danger. Something will be achieved if not too much is attempted. Einstein, Russell and the other scientists expressed succinctly the modest goal: "Any agreement between East and West is to the good insofar as it tends to diminish tension." Hate and fear are the common enemies, and only when they are put to rout can we begin to make *homo sapiens* secure again.

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I. G. Farben's Old Swiss "Front" Thwarted Again

Court Dismisses $100 Million Suit For Former German Property

If you will recall that lurid but not inaccurate image of I. G. Farben, the German chemical empire, as an octopus with tentacles in every country in the world, you will be interested to know that an American court may have just denied it the use of one of its appendages.

The U. S. Court of Appeals here has upheld dismissal of a suit to regain control of General Aniline & Film Corp. (GAF), Farben's major prewar American property. The suit was brought by a Swiss holding company, I. G. Chemie, which indignantly denies the insinuation that if it ever regained control, GAF might find its way back into German hands. Chemie admits it was founded by Farben in 1928 and once controlled GAF for the German firm. But it claims that by 1940 its Swiss members kicked the Germans out and it functioned as a neutral all during World War II. As a neutral, it claims it is entitled to recover the property.

What the holding company seeks to regain is the largest block of enemy property in this country appropriated in World War II: more than $100 million worth of stock of GAF, a leading producer of dyestuffs and chemicals, and about $2 million in cash. The Office of Alien Property took the property over in 1942 on the suspicion that the Swiss were merely "fronts" for German interests.

The government replies to Chemie's claim of independence by saying the holding company only pretended to break with Farben; that straight through to the end of the war it conspired with a Swiss bank, H. Sturzenegger & Co., to cloak Farben assets. OAP attorneys persuaded the District Court that the bank's records were indispensable to any proof of Chemie's non-enemy status.

Chemie was first ordered to produce the bank's records in 1949. But in 1950, before OAP attorneys could fly to Switzerland to see them, they were impounded by the Swiss government.

David Schwartz, principal OAP attorney, claims the Swiss impounded the Sturzenegger papers to save Chemie from any embarrassment. He pictured a relationship between Chemie and the bank, which he said the Sturzenegger papers would document, that was like a scenario for a spy-film.

Sturzenegger was in no sense a commercial bank, he said. It was housed in a private villa in a residential section of Basle. In the 30 years of its existence it had had no more than 50 to 100 depositors, none that was not in someway connected with Farben. Chemie, Schwartz said, started as "just a thing in the drawer at Sturzenegger; what we call a desk drawer corporation." In 1937 Chemie outgrew the drawer and moved to its own villa, around the corner from the bank and separated from it only by a garden. From these headquarters, Schwartz charged, the bank and the holding company did odd jobs for Farben and the Germany Army. The records would show, he predicted, that Chemie was as deeply involved as Sturzenegger in covering up for the Nazis.

> **"Any bill which permits a facility like General Aniline & Film to get into the hands of non-American owners should foresee the possibility that the control would be misused within six months or a year."**
>
> *—Col. Dallas S. Townsend, director of the Office of Alien Property, testifying against the Dirksen bill to return seized Axis properties.*

"Delay, Time Is On Our Side"

Meanwhile the fight to regain GAF goes on outside the courts. Last term and this term Sen. Everett Dirksen (R., Ill.) has introduced bills that Col. Dallas S. Townsend, Director of OAP, said would give Chemie complete power over GAF for a year and permit it to sell the company in that period. Last year the bill was never called up and it may never reach a vote this year, either. But Chemie has another chance to get control of GAP. Both the President and Chancellor Adenauer agreed at their conference here last year, that GAF and other property seized in the war should be returned. There are willing hands on the Hill to introduce the legislation necessary to carry out this agreement.

There is a timely ring to the advice a Chemie director addressed to a colleague in 1945 on how the claim for GAF's return should be prosecuted. "Delay," he wrote. "Time is on our side. The causes underlying the attitude of the Americans will disappear in time. Matters will assume a different complexion as time passes, even with Americans."

Economic Storm Warning: The Facts Behind The Steel Price Rise

Wholesale prices have been fairly steady for four years. The new steel price boost may set off a new inflationary spiral. Privately some government economists here are appalled at the size of the price rise. Iron Age, organ of the steel industry, forecast an average increase of $4.50 to $5 a ton. U. S. Steel instead boosted prices an average of almost $7.50.

Against the background of U. S. Steel's record this year, the increase is described as "brazen." In the first quarter of this year, its best ever, U. S. Steel chalked up $43,000,000 MORE in sales while paying $3,000,000 LESS in wages, and $20,000,000 LESS for supplies. Earnings per share of common rose 50 percent over the first quarter of last year, from $1.48 to $2.49.

It is estimated that the rise in wages and salaries this year will cost U. S. Steel $104,000,000. At the rate of earnings before taxes the first quarter it will make some $600,000,000 this year. The wage boost could easily have been absorbed, and net earnings would still have been greater than last year. In the first quarter alone the rise in net before taxes (out of which wages are paid) was over $60,000,000. The price boost is expected to give U. S. Steel an additional $188,000,000 in revenue.

Iron Age estimated the increased wage and salary costs for the industry at $225,000,000. "Actual costs," said its issue of July 7, "will eventually be roughly twice that amount due to subsequent increases in cost of goods and services." That would still only be $450,000,000. The price increase will give the industry an increase of more than $600,000,000.

The rest of the industry is doing as well or better than U. S. Steel. The eleven leading steel companies increased their earnings 55 percent in the first quarter of 1955 over the first quarter of 1954. Fourteen small steel companies increased their earnings by 149 percent.

All will of course follow the prices posted by U. S. Steel. For some, in certain lines, the new prices will be fantastically out of line with costs. Thus again, by a process which in no way resembles the operations of a free enterprise market, the decision of a handful of private administrators will determine not only the cost of our basic industrial commodity but may upset economic stability here and abroad.

Industry apologists claim the increase is needed to make possible greater expansion. In saying so they confess their monopolistic pricing methods. A competitive industry existing in a competitive market cannot raise capital this way, by overcharging the consumer. In any case (1) talk of expansion is exaggerated as an excuse for the price rise and (2) expansion is being financed at the U. S. Treasury's expense anyway, via accelerated amortization privileges.

In the last two years, U. S. Steel has added $200,000,000 to facilities by the easy method of writing them off against its tax bill.

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Godkin Lectures Also Disclose He Thought New Immunity Law Unconstitutional

Justice Jackson's Posthumous Warning Against the FBI

Harvard has just published the three Godkin lectures the late Supreme Court Justice Robert H. Jackson was to have delivered there this year. Few reviewers have had the temerity to mention the big news story in this posthumous volume (*The Supreme Court in the American System. Harvard Univ. Press*). It is Jackson's warning against the FBI.

Jackson approached the subject from an unexpected angle: his doubts about the wisdom of the old Civil Rights Statutes revived in our time to protect Negro rights. "If the Department of Justice must prosecute local officials," Jackson wrote, "the FBI must investigate them, and no local agency which is subject to federal investigation, inspection and discipline is a free agency.

"I cannot say," Jackson continued, "that our country could have no central police without becoming totalitarian, but I can say with great conviction that it cannot become totalitarian without a centralized national police."

How The Nazis Did It

Recalling his own experience as prosecutor in the Nuremberg trials, Jackson went on to say that Goering "with great candor related the steps by which the Nazi party obtained complete domination of Germany, and one of the first was the establishment of the supremacy of the national over the local police authorities. So it was in Russia, and so it has been in every totalitarian state."

"All that is necessary," Jackson wrote, "is to have a national police competent to investigate all manner of offenses, and then, in the parlance of the street, it will have enough on enough people, even if it does not elect to prosecute them, so that it will find no opposition to its policies. Even those who are supposed to supervise it are likely to fear it.

"I believe," Jackson concluded, "that the safeguard of our liberty lies in limiting any national policing or investigative organization, first of all to a small number of strictly federal offenses, and secondly to non-political ones."

Odd Road to Fascism

The Justice's meaning is clear enough, though his approch is curious. There is something almost satirical in the notion that the U. S. would move toward totalitarianism if the FBI began to spend too much time helping to prosecute the lynchers and racist police departments of the South.

It was not centralized police departments—both England and France have them without loss of liberty—which made Hitler's rise possible but the deliberate spread of a national psychosis about Jews and Marxists much like ours about Communists. Not the Civil Right Statutes but the new sedition laws have enabled the FBI to concentrate on political heresy with all the attendant power of intimidation and blackmail.

The warning is nonetheless useful, especially from a Supreme Court Justice who had himself been an Attorney General and seen the workings of the FBI at first hand. The lectures contain two other bits of ammunition for civil libertarians.

ITEM: The Attorney General's list. Jackson wrote that though the Supreme Court in 1951 "cast serious doubt upon the legality of the Attorney General's list it has never ceased to be used in the press, in the executive department, by and before congressional committees, and even in courts to prejudice individuals in their liberty, position and good name."

Not Immunity Law

ITEM: Wiretap and immunity legislation. Jackson took the position that the Constitution in limiting the Federal courts to actual "cases and controversies" casts serious doubt on the validity of legislative proposals which would "empower judges to grant or deny wiretapping rights to a prosecutor or to approve a waiver of prosecution in order to force a witness to give self-incriminating testimony."

A bill to permit wiretapping on order of a Federal judge failed to pass at the last session. But the immunity bill became law; a judge decides whether "to approve a waiver of prosecution" under just such circumstances as Jackson describes. The point made by Jackson was made by defense counsel in the Ullmann case in the lower courts and the Supreme Court has already agreed to hear this first test of the new immunity law.

The lectures end on a veiled apologia. Jackson pleads, as if in extenuation, that the preservation of civil liberties depends more on "the attitude of a society and of its organized political forces, rather than its legal machinery. . . ." This is true but begs the question. Judges like ordinary citizens must also do their duty. The apathy of the people does not excuse the timidity of the judges. It only makes their responsibility heavier.

We Didn't Realize The Sokolskys Came Over on the Mayflower

"When the United States was short of population, particularly of men who could do heavy labor, it imported large numbers of peasants from Poland, Hungary, Czechoslovakia, Italy and other eastern and southern European countries. . . . Today most of the work that those men did is done by machines and they are no longer essential. . . .

"The trouble with those who advocate changes in our immigration laws is that they do not face the facts squarely. . . . The national origins quota system . . . so works out that about 70 percent of the visas available each year go to countries of northern and western Europe. This has nothing to do with race, religion or local habitat. It has to do with the assimilability of immigrants. Those who voted for such a law believe that ours is an Anglo-Saxon culture."

—George Sokolsky, in the Hearst press, July 12

How the State Dept. Strives Manfully for Social Justice Abroad

Mr. [Ivor D.] DENTON [R., Pa.]. I understand that the [Mutual Security] program has not been so much help to the poorer classes of people who have been more subject to communism than anyone else, that they are paying the heavy taxes in those countries. Can you say anything about that?

Secretary DULLES. I think it is correct that in many of the countries that we help, perhaps most of them, the taxation system does not conform to our standards of social justice . . . but I do not think the international situation permits us to condition aid which is important for purposes of our own security upon the improvement of the tax situation in these countries.

Mr. DENTON. Do we do anything to see that the money is going to people more subject to communism than the people who are well to do?

Secretary DULLES: We try. In relation to such matters as offshore procurement, let us say, we have been experimenting in certain countries in insisting that contracts should not be placed with companies which are dominated by Communist labor unions, and we have tried to encourage the prosperity and well-being of companies that operate with free labor rather than Communist-controlled labor.

—House Appropriations Com., testimony on mutual security, June 9

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Swift Discharge of 5th Amendment Pleader Forces Employes to Inform

The New York Times Opens the Gates to Its Enemies

Arthur Hays Sulzberger, publisher of the *New York Times*, struck a blow at his own paper and at American journalism by his ignominously swift letter to Senator Eastland discharging a copy reader who had invoked the Fifth amendment before the Senate Internal Security Committee. Melvin Barnet, a pre-war employe of the *Brooklyn Eagle*, one of those named by Winston Burdett, said he had not been a Communist since February or March, 1942, but declined to answer questions about the earlier period. In any ordinary criminal prosecution questions that far back would have been barred anyway by the statute of limitations. How can the *Times* editorially support the Fifth amendment and discharge those who invoke it? Reactionaries have long been gunning for the *Times*. Its brand of independent conservatism is unpalatable to them. To smear it and break it morally was one of McCarthy's objectives. In discharging Barnet, it gives its employes a choice of becoming informers before Eastland (and almost certainly involving others on its staff) or losing their jobs. Instead of standing on First and Fifth amendment principles, Sulzberger invites the witch hunters in. The consequences for his paper and others may be serious.

The Eastland committee is trying hard to reestablish informing—the right kind that is. It has never dared accept Clifford Durr's challenge to pit his word against Paul Crouch's but Amos Landman, another former *Brooklyn Eagle* employe, was recalled to be put in the pillory and threatened with contempt because he told the *Providence Journal* that he had invoked the Fifth to protect others. Not a single informer caught in perjury on the government's side has ever been touched by the witch hunters or the Department of Justice but Eastland and Brownell are still out to crush and terrorize all those who took part in the turnabout of Harvey Matusow. The new indictment returned against him in New York, and the indictment of two respected lawyers and Marty Solow of *The Nation* for conspiracy to obstruct justice, is a challenge to the conscience of the country.

It begins to look as if there is a fundamental change of policy reflected in the passport situation. The sudden grant of passports to Clark Foreman, Martin Kamen, Willard Z. Park and Joseph Clark of the *Daily Worker* looks like a complete collapse in our own Iron Curtain policy. In the first three cases, passports were granted although all the court had ordered was a real hearing. The Department's action confesses that there would have been no real evidence to submit at such a hearing. The Clark passport is the most surprising of all. As a writer for the *Daily Worker*, he is ineligible for a passport under a half dozen provisions of the departmental regulations: he follows party line, advances party aims, has associated over the years with Communists, etc., and he failed to sign an affidavit swearing that he is not a Communist. If a Communist can get a passport without signing this humiliating affidavit, it is time non-Communists refused to sign it, too.

Sidelight on Those Chinese Guerrillas

San Francisco—A divorced woman was granted temporary custody of her 5-year-old son from his father, Roy F. Watts, 31, of Taipeh, Formosa, in Domestic Relations Court here, on the plea that the latter was too much of a daredevil. According to the San Francisco Chronicle (July 8) she said Watts was employed by Civil Air Transport, Inc., at $2,000 a month. "In explanation of the high pay, she said his duties include dropping Nationalist Chinese guerrillas into Red China."

The latest revelations about First Boston Corporation have done more than wreck the Dixon-Yates deal. They have ended Republican hopes of "turning back the clock" on TVA and public power generally. Senators Langer, Kefauver and Hill deserve applause for uncovering the missing link in this scandal—the Wenzell memorandum. This showed that Dixon-Yates was part of a well conceived plan to dismantle TVA and hand over more and more of its power functions piecemeal to private industry. Dixon-Yates will not win the next election against Eisenhower, but the President's surrender means that on power as on most other social policies the G.O.P. must accept a moderate New Dealism to stay in office.

Despite swift communications and the press, the Germans manage to talk one way in the West and another in the East and get away with it. How many Americans noticed that the German reply to the invitation from Moscow omitted all those preconditions about war prisoners, Oder-Neisse and the Soviet zone government about which Adenauer talked so boldly in this country? . . . The British wanted the meetings "at the summit" to be held without having the Foreign Ministers present, a way to talk without Dulles but Eisenhower insisted on having the Secretary of State along. . . . The Chinese Communists have been "behaving" themselves on Formosa on the assumption (sold them by neutral mediators) that this was the way to get the U. S. into direct negotiations. Watch for a new eruption as hope of such talks evaporates. . . .

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